

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: FRANK AUSTRUP, ET AL.

SERIAL NO.: 09/744,866

GROUP ART UNIT: 1642

FILED: April 2, 2001

EXAMINER: Stephen J. Rawlings

FOR: CANCER CELLS FROM BODY FLUIDS
CONTAINING CELLS, ISOLATION THEREOF
AND AGENTS CONTAINING THE SAME

ATTY. REFERENCE: 5636



NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

COMMISSIONER OF PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated: June 9, 2005
of the Primary Examiner finally rejecting claims: 24 (as of September 2, 2005, claims 24 and 28)

The Appeal Fee is:

- ☒ enclosed ☐ \$500. ☒ \$250. (Check No. 44830)
☐ not required (fee paid in prior appeal in this application).
☐ requested to be charged to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

☒ Small Entity Status is claimed.

☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

23364

Customer Number

Phone: (703) 683-0500

Respectfully submitted,

DATE: September 7, 2005

Eric S. Spector

Attorney for Applicant

Registration Number: 22,495

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